

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

No. 4:17-CV-02139

Plaintiff.

(Judge Brann)

v.

CARLA J. JOHNSON and CHARLES
D. JOHNSON a/k/a CHARLES
JOHNSON,

Defendants.

MEMORANDUM OPINION

APRIL 20, 2018

FINDINGS:

1. On November 21, 2017, Plaintiff, the United States of America, filed its Complaint in this action against the Defendants, Carla J. Johnson and Charles D. Johnson a/k/a Charles Johnson. ECF No. 1;
2. Service of the operative Summons and Complaint was personally made upon the Defendants in accordance with Federal Rule of Civil Procedure 4(e). ECF No. 6;
3. The Defendants have failed to timely answer Plaintiff's Complaint;
4. On March 19, 2018, the Clerk of Court entered Default as to the Defendants. ECF No. 11;

5. On March 16, 2018, Plaintiff moved for entry of Default Judgment as to the claims advanced in its Complaint against the Defendants. ECF No. 8;
6. The Defendants have failed to make an appearance in this action;
7. Plaintiff's claim is for \$ 120,981.95 plus interest accruing upon the unpaid balance at a daily rate of \$ 14.00 due on a December 13, 2007 loan from the United States Department of Agriculture in the principal amount of \$99,500.00, ECF No. 1 at 1-3;
8. Accordingly, Plaintiff's claim "is for a sum certain or a sum that can be made certain by computation" as contemplated by Federal Rule of Civil Procedure 55(b)(1);
9. Counsel for Plaintiff swears that, upon reasonable investigation, the Defendant is not believed to be presently in the military service of the United States. ECF No. 10;
10. On March 27, 2018, this Court issued a Notice and Order to Show Cause, ECF No. 12, directing as follows:

IT IS HEREBY ORDERED that the Defendants, within twenty-one (21) days of this Notice and Order to Show Cause and no later than **April 17, 2018 at 5:00 p.m.**, shall **SHOW CAUSE** as to why this Court should not grant Plaintiff's Motion for Default Judgment. In the event that the Defendants fail to show cause, the Defendants are **NOTICED** that this Court will grant Plaintiff's Motion for Default Judgment in full and will immediately award Plaintiff the entirety of the relief it seeks.

11. In that same Order, the Court further directed the Clerk of Court to mail a copy of the same to the Defendants at the following address of record:

Carla J. Johnson and Charles D. Johnson a/k/a Charles Johnson
402 Second Street
Towanda, PA 18848

12. The Clerk mailed a copy of the Notice and Order to Show Cause as directed. ECF No. 13;

13. As of today's date, no response has been received from Defendants.

CONCLUSION:

Plaintiff, the **UNITED STATES OF AMERICA**, is entitled to the entry of default judgment, as Defendants Carla J. Johnson and Charles D. Johnson a/k/a Charles Johnson have failed to show cause and were previously noticed that this Court would grant Plaintiff's Motion for Default Judgment in full and immediately award Plaintiff the entirety of the relief it seeks in the event of such failure.

Accordingly, Plaintiff's Motion for Default Judgment, ECF No. 8, is **GRANTED**.

An appropriate Order shall issue.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge